CLASSIFICATION OFFICE DECISION

Title of publication:	sb-b3430.jpg
Other known title(s):	Not stated
OFLC ref:	1600783.007
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Secretary for Internal Affairs
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	20 October 2016
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	19 October 2016

Summary of reasons for decision:

The computer image file tends to promote and support the exploitation of children and young persons for sexual purposes, and is deemed to be objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The image depicts naked boys in a sexually exploitative manner. It focuses on the sexualised nudity of the boys, and is posed and constructed in a way to encourage the arousal of viewers with a prurient interest in children and young persons. The classification of the publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.